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T.R.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/345,903 07/01/99 MESSINGER

F CIS-1212

EXAMINER

TM02/1025

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TRAN, M

ART UNIT

PAPER NUMBER

2173

DATE MAILED:

3
10/25/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/345,903

Applicant(s)

MESSINGER ET AL.

Examiner

Mylinh T Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____.

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DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract is objected to because:

On lines 4 and 16 of page 29, use of the phrase "The present invention" should be avoided.

On lines 11 of page 29, use of the phrase "In the preferred embodiment, the present invention further comprise" should be avoided.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Himmel et al.[US. 6,211,874] in view of Johnson et al. [US. 4,648,062].

As to claims 1 and 12, Himmel et al. discloses an apparatus for software training and technical support, a graphical user interface window through which a plurality of tasks are accomplished, said window having a plurality of selectable graphical areas (column 3, lines 33-39 and column 8, lines 23-36), a list of task indications coupled to said window, each task having an associated task indication

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(figure 5D, column 3, lines 51-64 and column 8, lines 45-55) and a selector coupled to said window, wherein after selecting a task, the selector selects selectable graphical areas in response to the sequence of instructions, wherein an end user operating said selector learns a sequence associated with a task through actively interfacing with said window (column 7, lines 65 -67 and column 8, lines 1-9). The difference between the claim and Himmel et al. is a graphical overlay coupled to said window. Johnson et al. shows a graphical overlay coupled to said window, wherein said overlay is positioned on top of said window (column 5, lines 47-57 to column 6, lines 1-6) and for each task graphical overlay, each instruction directing attention to a respective selectable graphical area (column 2, lines 49-68). It would have been obvious to one of ordinary skill in the art, having the teachings of Himmel et al. and Johnson et al. before them at the time the invention was made to modify the graphical user interface window taught by Himmel et al. to include the graphical overlay coupled to the window of Johnson et al., in order to providing a display of Help information to the operator in three different levels which are selectable by the operator, as taught by Johnson et al. As to claims 2 and 13, Himmel et al. shows the list of task indications dynamically changes as a function of the selectable graphical areas being displayed in said graphical user interface window (column 6, lines 35-53).

As to claims 3 and 14, Himmel et al. also shows the list of task indications is capable of being positioned apart from said graphical user interface window with which it is coupled (figure 5D, column 8, lines 37-55).

As to claims 4 and 15, Himmel et al. demonstrates the tasks displayed in said list of task indications is a function of a mode setting, wherein a mode setting contains at least one setting including a beginner, an intermediate, and an advanced mode setting (column 7, lines 46-65 and column 8, lines 1-9).

As to claims 5 and 16, Himmel et al. teaches the computer controls a system

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wherein the tasks displayed in said list of task indications are user-privilege specific (column 7, lines 18-36 and column 8, lines 45-55).

As to claims 6 and 17, Himmel et al. discloses the system is a data communication network (column 5, lines 50-67).

As to claims 7 and 18, Johnson et al. also discloses the list of task indications are replaced by a list of task step indications, and wherein each task step is coupled to a respective sequence instruction, wherein each associated task step indication is highlighted in sequence with a respective instruction being displayed (column 5, lines 30-46).

As to claims 8 and 19, Johnson et al. teaches the graphical overlay is invisible other than the instruction being displayed (column 5, lines 47-57 and column 6, lines 1-6).

As to claims 9 and 20, Johnson et al. also teaches the instruction being displayed includes an information box including at least one of: recommended input, required input, example input, subsequence list, and a description of what to expect next (column 2, lines 14-34 and column 6, lines 1-6).

As to claims 10 and 21, Johnson et al. demonstrates the recorded voice files or a text-to-speech synthesizer coupled to the sequence of instructions, wherein the instruction being displayed is simultaneously presented audibly (column 1, lines 1-30).

As to claims 11 and 22, Johnson et al. also demonstrates the selection of one or more selectable graphical areas in a sequence before selecting a task automatically highlights a list of possible tasks being performed (column 5, lines 30-46).

Conclusion

Any inquiry concerning this communications or earlier communications from the examiner should be directed to examiner Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday to Friday from 8:00am to 5:00pm.

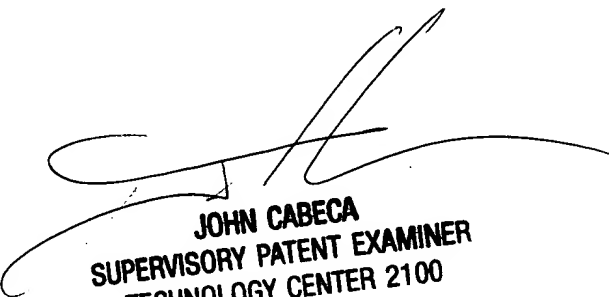
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at the number (703) 308-3116. The fax number for this group is (703) 308-9051.

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900.

Mylinh Tran

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JOHN CABECA
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